

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS
BID PROTEST**

FMS INVESTMENT CORP., <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	
)	No. 18-204C (consolidated)
THE UNITED STATES,)	
)	Judge Thomas C. Wheeler
Defendant,)	
)	
and)	
)	
PERFORMANT RECOVERY, INC., and)	
WINDHAM PROFESSIONALS, INC.)	
)	
Intervenor-Defendants.)	

NOTICE

Defendant, the United States, respectfully submits this notice pursuant to the Court's March 23, 2018 order. ECF No. 160. The United States will file a notice with the Court on or before May 4, 2018, to notify the Court and the parties of the course of action that the Department of Education plans to take regarding the procurement at issue in these consolidated bid protests.

In addition, as stated in our March 28, 2018 notice, we will be producing the documents identified in that notice directly to the parties and pursuant to the amended protective order by April 13, 2018. ECF No. 161. However, it appears now that some of the audio files at issue may not be processed and ready for production by that date. We will produce those that are ready by April 13, 2018, and the remainder by April 18, 2018.

Respectfully submitted,

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Acting Assistant Attorney General

ROBERT E. KIRSCHMAN, JR.
Director

s/ Patricia M. McCarthy
PATRICIA M. McCARTHY
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April 11, 2018

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